

MEMORANDUM

February 3, 1977

TO: BOSTON REDEVELOPMENT AUTHORITY  
FROM: Robert F. Walsh, Director  
SUBJECT: BOARD OF APPEAL REFERRALS

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Tabled 12/23/76, 1/20/77

Hearing: 2/8/77

Petition No. Z-3749  
Alexander Paliwoda  
610-612 Dorchester Avenue, South Boston  
near Andrew Square

2½-story frame structure - general business (B-1) district.

Purpose: to change occupancy from one apartment and offices to one apartment and private club.

Violation:

Section 23-2. Off-street parking is insufficient.

Facility would be used as meeting hall for Polish Veterans. Arrangements have been made with nearby St. Mary's Church to provide off-street parking.  
Recommend approval with provisos.

VOTED: In reference to Petition No. Z-3749, brought by Alexander Paliwoda, 610-612 Dorchester Avenue, South Boston, for a variance for a change of occupancy from one apartment and offices to one apartment and private club in a general business (B-1) district, the Boston Redevelopment Authority recommends approval with the following provisos: that petitioner make arrangements to provide off-street parking at nearby site; that facility terminate club activities no later than midnight.



Z-3749  
610-612 DORCHESTER AVE.  
(S.B.)





Board of Appeal Referrals 2/3/77

Hearing: 3/1/77

Petition No. Z-3772  
Gerald R. Ramin  
92-100 Massachusetts Avenue and  
359-365 Newbury Street, Boston

Five-story structure - general business (B-8-120) district.

Purpose: to erect projecting sign for restaurant.

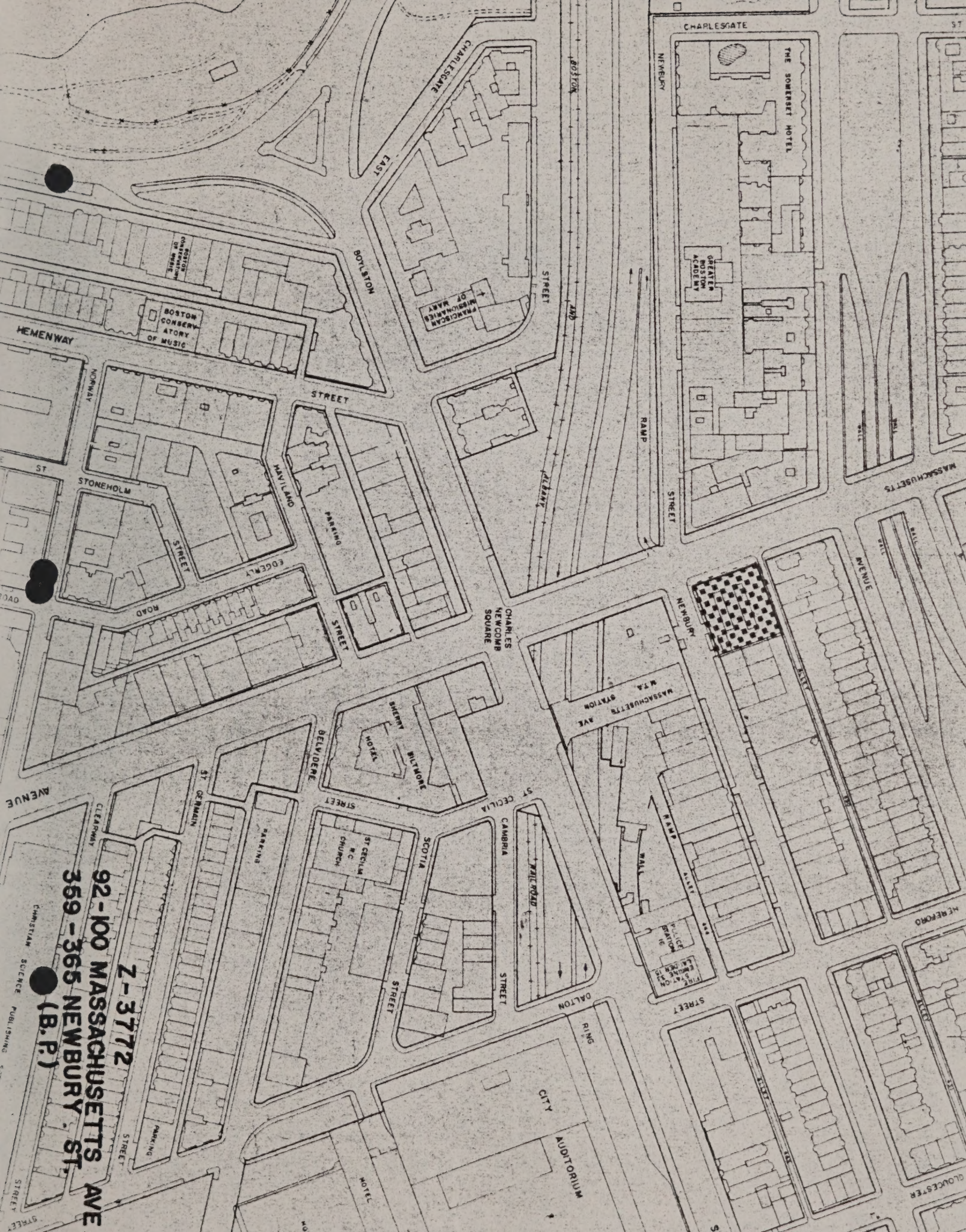
Violation:

Section 11-2. Total area of permanent signs on business frontage exceeds maximum allowed.

Projecting restaurant sign (3½ feet by 4½ feet) would read "Newbury's - Food - Drink". Back Bay Architectural Commission has granted approval with provisos. Recommend approval with proviso.

VOTED: In reference to Petition No. Z-3772, brought by Gerald R. Ramin, 92-100 Massachusetts Avenue and 359-365 Newbury Street, Boston, for a conditional use to erect a projecting sign in a general business (B-8-120) district, the Boston Redevelopment Authority recommends approval provided sign complies with Back Bay Architectural Commission Notice of Decision dated May 20, 1975.





CHARLESGATE

THE SOMERSET HOTEL

GREATER BOSTON ACADEMY

FRANCISCAN MISSIONARIES OF MARY

BOSTON CONSERVATORY OF MUSIC

HEMENWAY

STREET

MAVILAND

STONEHOLM

ROAD

CHARLES NEWCOMB SQUARE

MASSACHUSETTS AVE  
STATION

NEWBURY

AVENUE

STREET

BELVIDERE

STREET

ST. CECILIA R.C. CHURCH

SCOTIA

STREET

CAMBRIA

ST. CECILIA

DALTON

CITY AUDITORIUM

STREET

NEWBURY

CLONESTER

Z-3772

92-100 MASSACHUSETTS AVE  
369-365 NEWBURY ST.

(B.P.)

CHRISTIAN SCIENCE PUBLISHING



Board of Appeal Referrals 2/3/77

Hearing: 3/1/77

Petition No. Z-3774  
Grace Wyshak  
484 Commonwealth Avenue, Boston  
near Kenmore Street

Five-story structure - apartment (H-4-70) district.

Purpose: to change occupancy from offices and retail store to offices and restaurant.

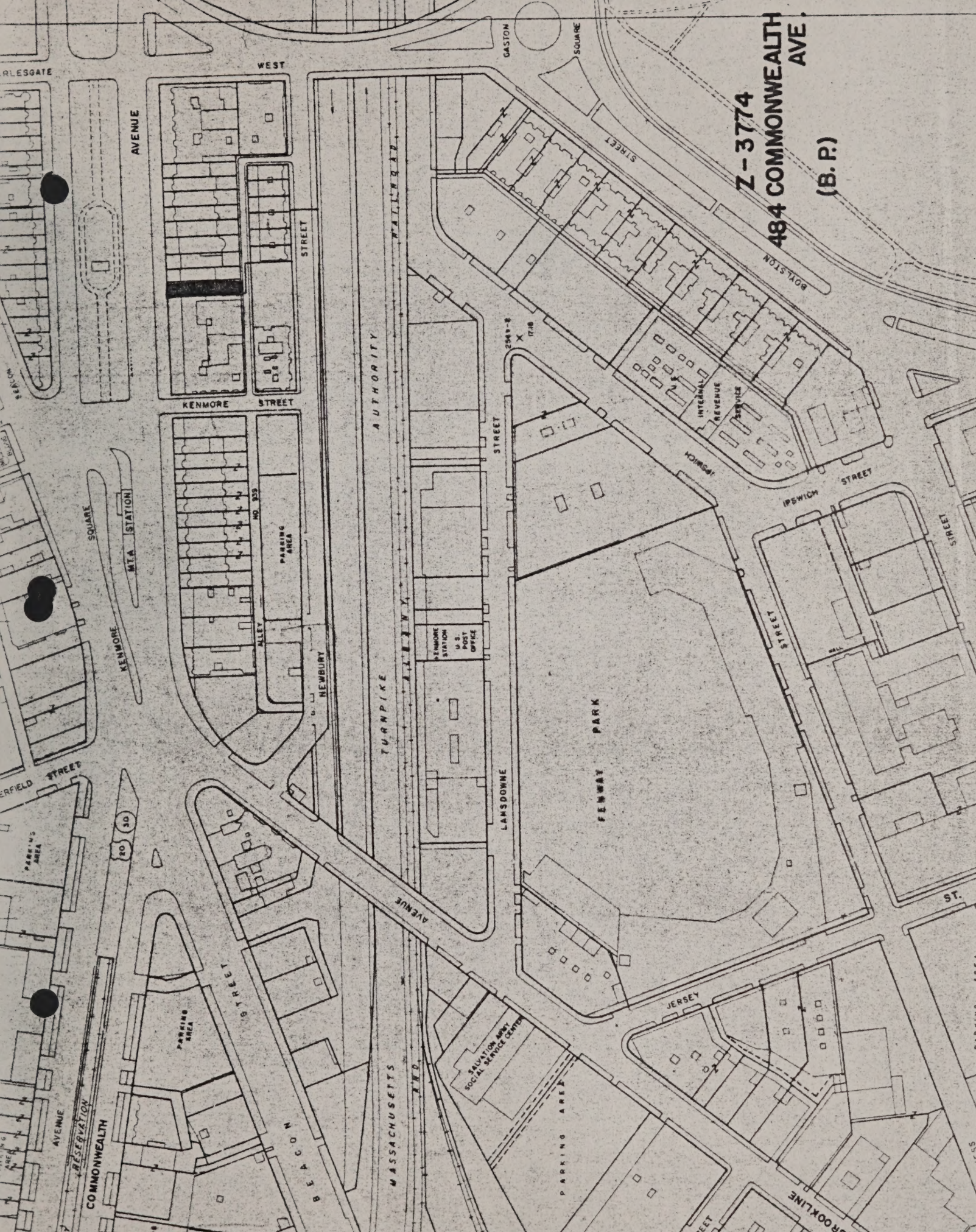
Violation:

Section 9-2. A change in a nonconforming use requires Board of Appeal hearing.

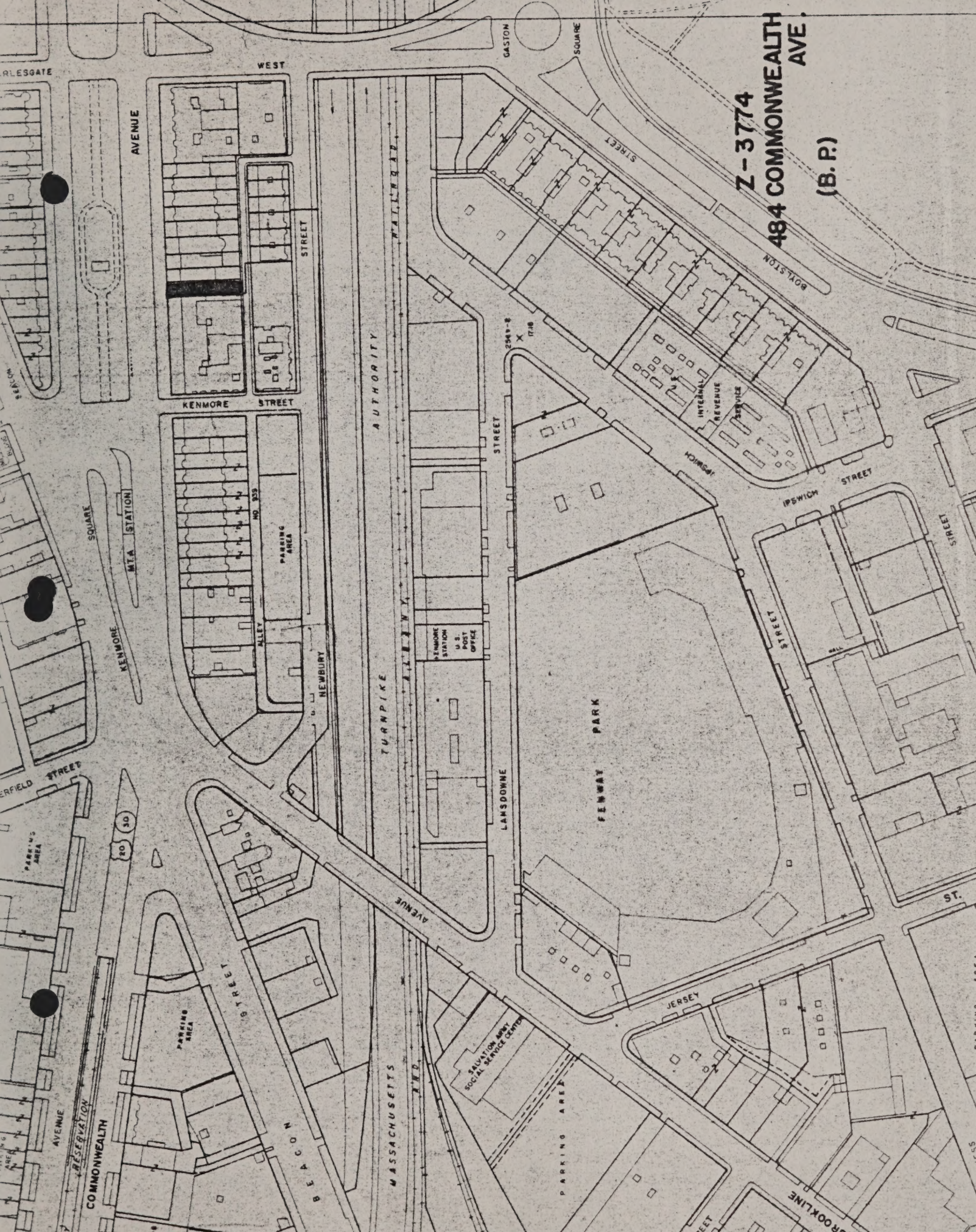
Former ground-level grocery store is fire damaged and has been vacant for over a year. Proposed eat-in restaurant use would be consistent with the institutional-commercial character of the immediate area.  
Recommend approval with provisos.

VOTED: In reference to Petition No. Z-3774, brought by Grace Wyshak, 484 Commonwealth Avenue, Boston, for a change in a nonconforming use for a change of occupancy from offices and retail store to offices and restaurant in an apartment (H-4-70) district, the Boston Redevelopment Authority recommends approval with the following provisos: that a trash compactor be provided; that the Health and Hospitals Department review plans; that plans be submitted to the Authority for design review.





Z-3774  
484 COMMONWEALTH  
AVE.  
(B.P.)





Board of Appeal Referrals 2/3/77

Hearing: 3/1/77

Petition No. Z-3779  
Mechanics Iron Foundry Co.  
19-27 Farnham Street, Roxbury  
at Reading Street

10,000 square feet of land - industrial (I-2) district.

Purpose: to use premises for storage of dumpsters and salvage materials.

Violation:

Section 8-7. Outdoor storage of salvage materials and dumpsters, screened by a twelve-foot-high fence, is conditional in an I-1 district.

Lot, enclosed by a twelve-foot-high iron corrugated fence, is now ancillary to adjacent iron foundry. Proposal would allow storage of salvage-reuse building construction waste materials. Use is compatible with this industrial area. Recommend approval with proviso.

VOTED: In reference to Petition No. Z-3779, brought by Mechanics Iron Foundry Co., 19-27 Farnham Street, Roxbury, for a conditional use to use premises for storage of dumpsters and salvage materials in an industrial (I-2) district, the Boston Redevelopment Authority recommends approval provided that any dust and dirt incident to storage or handling is efficiently confined to the lot.



Z-3779  
19-27 FARNHAM ST.  
(Roxbury)  
F&S  
CUSTOM  
107  
Roxbury  
INC.



Board of Appeal Referrals 2/3/77

Hearing: 3/1/77

Petition No. Z-3782  
Kosta Papoulidis  
1090-1100 Dorchester Avenue, Dorchester  
at Savin Hill Avenue

One-story structure - local business (L-1) district.

Purpose: to change occupancy from ten stores to auto school, laundromat, and two stores.

Violation:

Section 8-7. An automobile driving school is conditional in an L-1 district.

Laundromat and variety store are existing. Site, on a major artery, is appropriate for auto-oriented facility. Proposed uses are consistent with the immediate local business area. Recommend approval.

VOTED: In reference to Petition No. Z-3782, brought by Kosta Papoulidis, 1090-1100 Dorchester Avenue, Dorchester, for a conditional use for a change of occupancy from stores to auto driving school, laundromat, and two stores in a local business (L-1) district, the Boston Redevelopment Authority recommends approval. Site, on a major artery, is appropriate for auto-oriented facility. Uses are consistent with the immediate local business area.

*tabled*





Z-3782

1090-1100 DORCHESTER AVE  
(DOR.)



Board of Appeal Referrals 2/3/77

Hearing: 2/15/77

Petition No. Z-3785  
Jon and Ruth Soligan  
257-259 Cambridge Street, Allston  
at Lincoln and Empire Streets

One-story structure - local business (L-1) district.

Purpose: to erect one-story addition to repair shop garage.

Violation:

	<u>Required</u>	<u>Proposed</u>
Section 8-6. Extension of a conditional use requires Board of Appeal hearing.		
Section 18-1. Front yard is insufficient.	10 ft.	0
Section 18-3. Corner traffic visibility is insufficient.		

Proposed addition would create space for vehicles now stored on street and in yard area. Petitioner has operated facility for several years.  
Recommend approval with provisos.

VOTED: In reference to Petition No. Z-3785, brought by Jon and Ruth Soligan, 257-259 Cambridge Street, Allston, for a conditional use and two variances to erect a one-story addition to a repair shop garage in a local business (L-1) district), the Boston Redevelopment Authority recommends approval provided that the conditional use terminate after a period of two years; that there be no exterior storage of any vehicles; that landscaped screen be provided along Empire Street facing residential district; that plans be submitted to the Authority for design review.





Z-3785

257-259 CAMBRIDGE ST.  
(ALLSTON)



Board of Appeal Referrals 2/3/77

Hearing: 2/15/77

Petitions Nos. Z-3795-3796  
James P. Flynn  
976-976(r) River Street, Hyde Park  
near Maida Terrace

2½-story frame dwelling - one-story frame garage - residential (R-.5) district.

Purpose: change occupancy from two-family dwelling and garage to two-family dwelling and from garage to one-family dwelling.

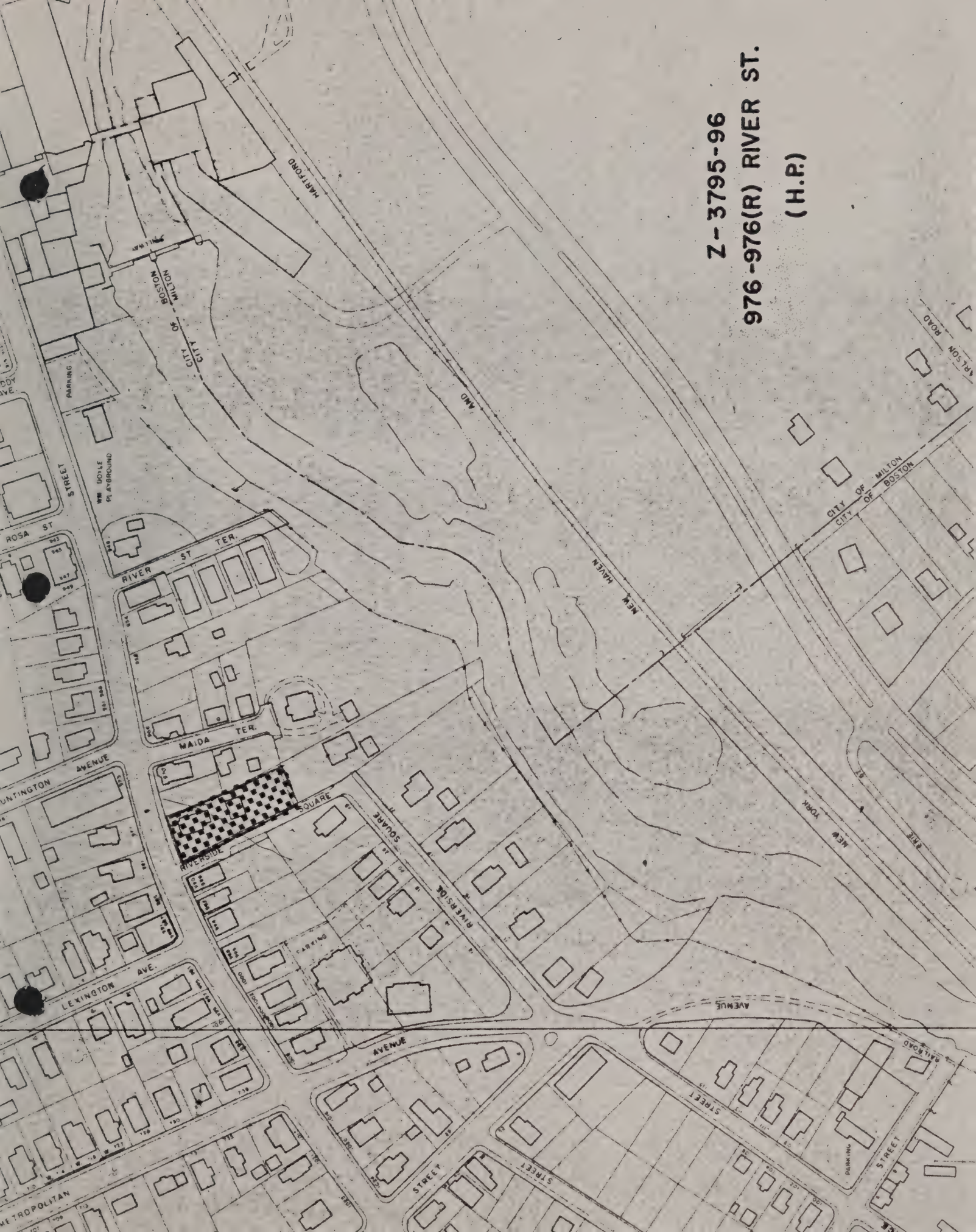
Violations:

	<u>Required</u>	<u>Proposed</u>
Section 14-1. Lot area is insufficient.	2 acres	15,671 sf
Section 14-3. Lot width is insufficient.	200 ft.	81 ft.
Section 14-4. Street frontage is insufficient.	200 ft.	81 ft.
Section 14-5. Unobstructed access is not provided.	15 ft.	0
Section 18-1. Front yard is insufficient.	60 ft.	0
Section 20-1. Rear yard is insufficient.	40 ft.	30 ft.

Use, though compatible with the area, is inappropriate for the site. Small structure (30 feet by 25 feet), situated behind a 2½-story two-family dwelling, cannot adequately support a residential unit  
Recommend denial.

VOTED: In reference to Petitions Nos. Z-3795-3796, brought by James P. Flynn, 976-976(r) River Street, Hyde Park, for nine variances for change of occupancy from two-family dwelling and garage to two-family dwelling and from garage to one-family dwelling in a residential (R-.5) district, the Boston Redevelopment Authority recommends denial. Use, though compatible with the area, is inappropriate for the site. Small structure cannot adequately support a residential unit.





Z-3795-96  
976-976(R) RIVER ST.  
(H.P.)



Board of Appeal Referrals 2/3/77

Hearing: 2/15/77

Petitions Nos. Z-3802-3804  
Greenery Nursing Home  
83-111 Chestnut Hill Avenue, Brighton  
at Wiltshire Road

Three-story structure - single-family (S-.5) district.

Purpose: to combine lots; to erect three-story 80-bed addition to nursing home.

Violations:

	<u>Required</u>	<u>Proposed</u>
Section 8-7. A nursing home is forbidden in an S-.5 district.		
Section 10-1. Parking is not allowed within required front yard.		
Section 14-2. Lot area is insufficient.	402,000 sf	67,185 sf
Section 15-1. Floor area ratio is excessive.	.5	1
Section 16-1. Height of building is excessive.	2½ stories	3 stories
Section 18-1. Front yard is insufficient.	30 ft.	2 ft.
Section 20-1. Rear yard is insufficient.	50 ft.	3 ft.
Section 23-3. Off-street parking is insufficient.	57 spaces	21 spaces

In 1974, petitioner received a permit with design review approval for similar expansion, but was unable to proceed with development. Capacity would be increased to 200 beds. Recommend approval with proviso.

VOTED: In reference to Petitions Nos. Z-3802-3804, brought by Greenery Nursing Home, 83-111 Chestnut Hill Avenue, Brighton, for a forbidden use and seven variances to combine lots and erect a three-story 80-bed addition to a nursing home in a single-family (S-.5) district, the Boston Redevelopment Authority recommends approval provided plans are submitted to the Authority for design review.



Z-3802-04

83-III CHESTNUT HILL AVE  
(BRI.)





Board of Appeal Referrals 2/3/77

Hearing: 3/1/77

Petitions Nos. Z-3806-3808  
Gennaro J. Angiullo  
617-619-621 Commonwealth Avenue, Boston  
near Sherborn Street

Four-story vacant structure - apartment (H-4) district.

Purpose: to change occupancy from hospital to school and dormitory.

Violations:

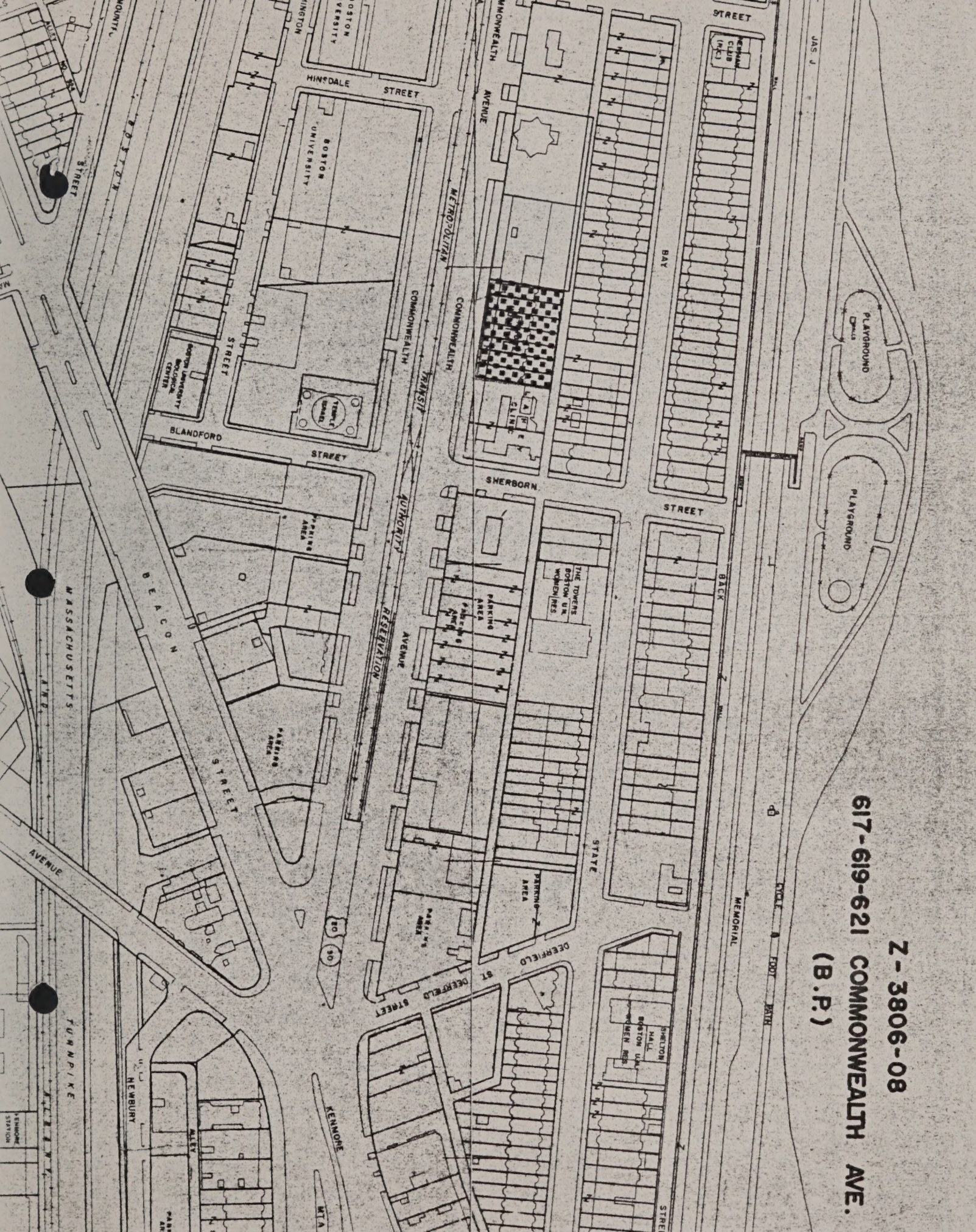
Section 8-7. A dormitory is conditional in an H-4 district.

Section 8-7. A school is conditional in an H-4 district.

Facility (30 dormitory residents) would accommodate adolescents with emotional and behavioral problems. The densely populated neighborhood near Boston University and Kenmore Square does not afford an ideal environment for troubled children. Recreational open space is lacking. Residents are opposed. Property is currently tax producing. Recommend denial.

VOTED: In reference to Petitions Nos. Z-3806-3808, brought by Gennaro J. Angiullo, 617-619-621 Commonwealth Avenue, Boston, for three conditional uses for a change of occupancy from hospital to school and dormitory in an apartment (H-4) district, the Boston Redevelopment Authority recommends denial. The densely populated neighborhood near Boston University and Kenmore Square does not afford an ideal environment for troubled children. Recreational open space is lacking. Residents are opposed. Property is currently tax producing.





Z - 3806-08  
617-619-621 COMMONWEALTH AVE.  
(B.P.)



Board of Appeal Referrals 2/3/77

Hearing: 3/1/77

Petition No. Z-3810  
Trustees of New England Law School  
120-126 Newbury Street, Boston  
near Clarendon Street

Six-story structure - general business (B-4-70) district.

Purpose: to erect one-story addition to law school; to enclose rear light well.

Violations:

	<u>Required</u>	<u>Proposed</u>
Section 8-6. A change in a conditional use requires Board of Appeal hearing.		
Section 15-1. Floor area ratio is excessive.	4	4.6
Section 16-1. Height of building is excessive.	70 ft.	83 ft.
Section 20-1. Rear is insufficient.	15 ft.	12 ft.

Expansion would create a seventh story and be used for administrative-faculty offices, library, and teaching space. There would be no increase in enrollment. Recommend approval with proviso.

VOTED: In reference to Petition No. Z-3810, brought by the Trustees of New England Law School, 120-126 Newbury Street, Boston, for a conditional use and three variances to erect a one-story addition to a law school and enclose rear light well in a general business (B-4-70) district, the Boston Redevelopment Authority recommends approval provided that the additional floor is not visible from the street and that plans are submitted to the Authority for design review.



Z-3810  
120-126 NEWBURY ST  
(B.P.)





